

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BLANE CANTRELL, SR.,)	
)	
Petitioner,)	
)	
vs.)	Case No. 4:04-CV-214 (CEJ)
)	
DAVE DORMIRE and)	
JEREMIAH W. NIXON)	
)	
Respondents.)	

MEMORANDUM AND ORDER

This habeas corpus action is before the Court upon the Report and Recommendation of United States Magistrate Judge Frederick R. Buckles, to whom the matter was referred pursuant to 28 U.S.C. § 636(b). On November 8, 2006, Judge Buckles issued a Report and Recommendation, recommending that the petition of Blane Cantrell, Sr., for writ of habeas corpus under 28 U.S.C. § 2254, be denied. Judge Buckles also recommended that Jeremiah W. Nixon, the Attorney General of Missouri be added as a party respondent to this matter. Petitioner has not filed any objections to the Report & Recommendation, despite being given two extensions of time to do so. The time to file objections has now elapsed.

Accordingly,

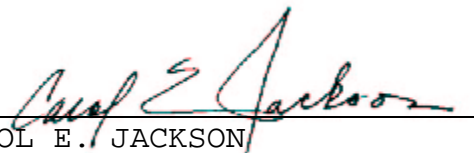
IT IS HEREBY ORDERED that the Attorney General of Missouri, Jeremiah W. Nixon, is added as a Respondent.

IT IS FURTHER ORDERED that the Report and Recommendation of United States Magistrate Judge Frederick R. Buckles [#21] is sustained, adopted, and incorporated herein.

IT IS FURTHER ORDERED that the petition of Blane Cantrell Sr., for a writ of habeas corpus [#1] is **denied**.

IT IS FURTHER ORDERED that petitioner has failed to make a substantial showing of the denial of a constitutional right and the Court will not issue a certificate of appealability. See Cox v. Norris, 133 F.3d 565, 569 (8th Cir. 1997).

A separate judgment in accordance with this order will be entered this same date.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 29th day of January, 2007.